

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE

KAREN L. TADYCH,

Respondent,

v.

JOHN D. HORNER,

Appellant.

DOCKET NUMBER WD72408

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: March 8, 2011

APPEAL FROM

The Circuit Court of Jackson County, Missouri
The Honorable J. Dale Youngs, Judge

JUDGES

Division One: Pfeiffer, P.J., and Newton and Ahuja, JJ.

CONCURRING.

ATTORNEYS

Tony V. Jones
Kansas City, MO

Attorney for Respondent,

Dennis Owens
Kansas City, MO

Attorney for Appellant.

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS, WESTERN DISTRICT

had met his burden of proving that he had performed \$50,000 of improvements to the property that were done in good faith, were necessary and substantial, materially enhanced the value of the property, and for which it was equitable to reimburse Horner for those improvements – but those improvements only. The trial court, simply put, did not find that Horner’s evidence was either credible or substantial enough to support improvement reimbursements for any other claimed expenditures or hours of labor performed to improve the property. We affirm the trial court’s judgment.

There was also a motion for attorney’s fees filed by Tadych. But, as the work of Tadych’s attorneys on appeal did not serve *both* parties’ interests, the statutory authority relied upon by Tadych for an award of attorney’s fees is inapplicable. Thus, the motion for attorney’s fees is denied.

OPINION BY: Mark D. Pfeiffer, Presiding Judge

March 8, 2011

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THIS SUMMARY IS **UNOFFICIAL** AND SHOULD NOT BE QUOTED OR CITED.